

MAY 12, 2007

FILED

CLERK OF BANKRUPTCY COURT (HONORABLE JUDITH FITZGERALD)
NORTH 824 MARKET STREET
WILMINGTON, DELAWARE 19801

2007 MAY 15 AM 10:02

U.S. BANKRUPTCY COURT
DISTRICT OF DELAWARE

RE: W.R. GRACE ASBESTOS PROPERTY DAMAGE CLAIM REJECTION
OF WILLIAM R. WITTENBERG ID# 1724 DUE TO FAILURE
OF EVIDENCE OF PRODUCT IDENTIFICATION
SEE COPY OF COURT ORDER INCLUDED

CLAIMANT WILLIAM R. WITTENBERG (1724) SUBMITTED
LABORATORY ANALYSIS DATED NOVEMBER 4, 2005 WHICH
COINCIDES WITH DEBTORS EXPERT WITNESS' PRODUCT
FORMULAS BY DR. LEE PH.D. SEE COPY OF DOCUMENTATION

THE CHRYSOTILE ASBESTOS PER CENT (%) OF 30%
IS LOW DUE TO AN EXTREMELY SMALL SAMPLING OF
CEILING ASBESTOS WHICH WOULD UNDOUBTEDLY MEET
PRODUCT IDENTIFICATION CRITERIA ESTABLISHED BY
DEBTORS EXPERT WITNESS'

CLAIMANT RESPECTFULLY PETITIONS COURT
TO RECOMMEND W.R. GRACE, ET AL; TO RE-EVALUATE
DENIAL OF CLAIM.

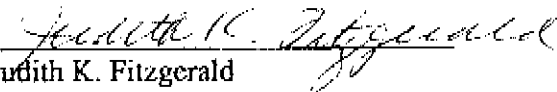
William R. Wittenberg
WM R. WITTENBERG - PD CLAIMANT
6110 PANORAMA DR NE
TACOMA, WA 98421-1219
TEL # 253-927-0249

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:) Chapter 11
)
W. R. GRACE & CO., et al.) Case No. 01-01139 (JKF)
) (Jointly Administered)
Debtors.)
) Re: April 23-24, 2007 PID Hearing
) Docket No. 9315 - 15th summons
) objection to claims

**ORDER DISALLOWING AND EXPUNGING
PROPERTY DAMAGE CLAIMS, NOS. 1724, 5987 AND 12780**

AND NOW, this 24th day of April, 2007, it is ORDERED, ADJUDGED and DECREED
that claim numbers 1724 (William R. Wittenberg), 5987 (Dale Johnson) and 12780 (First
Presbyterian Church) are hereby disallowed and expunged for failure to introduce evidence of
product identification.


Judith K. Fitzgerald
United States Bankruptcy Judge

NOVEMBER 4, 2005

TO: KIRKLAND & ELLIS LLP, ATTN: KATHERINE PHILLIPS
200 EAST RANDOLPH DRIVE - SUITE 6500
CHICAGO, ILLINOIS 60601

PACHLLSKI, STANG, ZIEHL ET AL - ATTN: JAMES O'NEILL
919 N. MARKET STREET - 16TH FLOOR
P.O. Box 8705

WILMINGTON, DELAWARE 19899-8705 COURIER 19801


CLERK OF US BANKRUPTCY COURT (HONORABLE JUDITH FITZGERALD)
824 MARKET STREET
WILMINGTON, DELAWARE 19801

RE: W.R. GRACE CO. - CASE NO. 01-01139 (JKF) 14TH & 15TH OMNIBUS
OBJECTIONS - CLAIM NO. 1724 PROPERTY DAMAGE
WILLIAM WITTENBERG RESIDENCE 6110 PANORAMA DR NE
TACOMA, WASHINGTON 98422-1219 TEL# 253-927-0249

THE ATTACHED DOCUMENTS SUPPLEMENT PROOF OF CLAIM SUBMISSIONS
PREVIOUSLY PROVIDED BY AFFIDAVIT OF OCTOBER 11, 2005, HANDWRITTEN
RESPONSE FILED 9-19-2005, AND AT THIS TIME ALSO INCLUDES
RE-SUBMISSION OF ALTERNATE ASBESTOS CEILING PICTURES IN
WHICH ORIGINALS APPARENTLY MISSING IN TRANSIT.

THE INCLUDED REPORT OF HAZARDOUS CEILING ASBESTOS PROVIDED BY
CLAIMANT FOR LABORATORY ANALYSIS RE-AFFIRMS THE PRESENCE OF
ASBESTOS MATERIALS. ENVIRONMENTAL PROTECTION (EPA), PUGET SOUND
CLEAN AIR AGENCIES AND HAZARDOUS WASTE LABORATORIES ALL
CONFIRM THEIR INABILITY TO IDENTIFY PRODUCT MANUFACTURER(S)
OF ASBESTOS MATERIAL.

THEREFORE, I RESPECTFULLY RECOMMEND THE COURT URGE
DEBTORS PERFORM AN INDEPENDANT CERTIFIED ONSITE
PRODUCT IDENTIFICATION ANALYSIS IF NECESSARY BEFORE
SUMMARILY REJECTING CLAIM NO. 1724


WILLIAM R. WITTENBERG
P.D. CLAIMANT

4708 Aurora Ave N. Seattle, WA 98103
Tel: 206.547.0100, Fax: 206.634.1936
www.nvlabps.com

#102063

Bulk Asbestos Fibers Analysis

By Polarized Light Microscopy

Client: WM. R. Wittenberg
Address: 6110 Panorama Dr. NE
Tacoma, WA 98422
Attention: Mr. WM. R. Wittenberg
Project Location: Same as above

Batch #: 2516003.00

Client Project #: N/A
Samples Received: 1
Samples Analyzed: 1
Method: EPA/800R-93/116

Lab ID : 25096197 Client Sample #: 01

Location: Same as above

Layer 1 of 1 Description: Off-white lumpy material with paint

Non-Fibrous Materials:

Calcereous particles, Binder/Filler, Vermiculite
Paint

Other Fibrous Materials: %

None Detected ND

Asbestos Type: %

Chrysotile 3%

Sampled by: Client

Analyzed by: Nadia Prysyazhnyuk

Date Analyzed: 11/03/2005

DRAFT

Note: If samples are not homogeneous, then subsamples of the components were analyzed separately. All bulk samples are analyzed using EPA 800/R-93/116 Method with the following measurement uncertainties for the reported % Asbestos (1%=0-3%, 5%=1-8%, 10%=6-16%, 20%=10-30%, 60%=40-60%). This report relates only to the items tested. If sample was not collected by NVL personnel, then the accuracy of the results is limited by the methodology and acuity of the sample collector. This report shall not be reproduced except in full, without written approval of NVL Laboratories, Inc. It shall not be used to claim product endorsement by NVLAP or any other agency of the US Government.